

220629

STATE OF SOUTH CAROLINA)

(Caption of Case)

Duke Energy Carolinas, LLC's Integrated Resource Plan (IRP)

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

COVER SHEET

Posted: 12/4/09)
Dept: SA)
Date: 12/4/09)
Time: 4:20)

DOCKET NUMBER: 2009 - 10 - E

(Please type or print)

Submitted by: Catherine E. Heigel

SC Bar Number: 9268

Address: 526 S. Church Street, EC03T

Telephone: 704-382-8123

Charlotte, NC 28202

Fax: 704-382-5690

Other: _____

Email: catherine.heigel@duke-energy.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

Emergency Relief demanded in petition

Request for item to be placed on Commission's Agenda expeditiously

Other: Motion for Admission Pro Hac Vice and Verified Application of Lara Simmons Nichols

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form

RECEIVED

DEC 04 2009

PSC SC DOCKETING DEPT.

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2009-10-E

RECEIVED

DEC 04 2009

PSC SC
DOCKETING DEPT.

In the Matter of:)
)
Duke Energy Carolinas, LLC's)
Integrated Resource Plan (IRP))
)
)
)
)
)

MOTION FOR ADMISSION *PRO*
HAC VICE

Duke Energy Carolinas, LLC ("Duke Energy Carolinas" or the "Company") hereby moves the Public Service Commission of South Carolina (the "Commission") to permit Lara Simmons Nichols to practice *pro hac vice* before the Commission in the above-captioned matter.

Pursuant to SCACR 404, Ms. Nichols, together with counsel of record, is simultaneously filing a copy of the Verified Application for Admission *Pro Hac Vice* with the South Carolina Supreme Court. Attached is the original Verified Application.

WHEREFORE, as the provisions set forth in SCACR 404 have been satisfied, Duke Energy Carolinas requests this motion be granted.

Dated this 23rd day of November 2009.



Catherine E. Heigel
Associate General Counsel
Duke Energy Carolinas, LLC
526 S. Church Street, EC03T
Charlotte, NC 28202

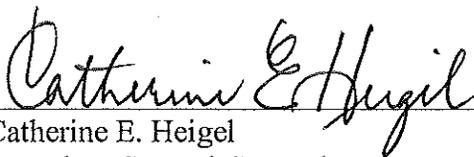
BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-10-E

In the Matter of:)
)
Duke Energy Carolinas, LLC's)
Integrated Resource Plan (IRP)) **CERTIFICATE OF SERVICE**
)
)
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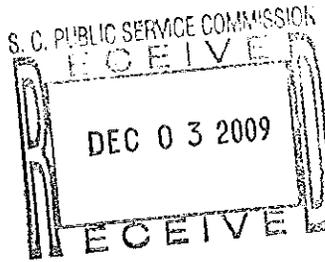
This is to certify that I have caused to be served this 23rd day of November 2009 one copy of Duke Energy Carolinas, LLC's **Motion for Admission *Pro Hac Vice*** via first class United States mail, postage prepaid, to the persons named below at the addresses set forth:

Jeffrey M. Nelson
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201

This 23rd day of November 2009.



Catherine E. Heigel
Associate General Counsel
Duke Energy Carolinas, LLC
526 S. Church Street, EC03T
Charlotte, NC 28202



OFFICE OF THE GENERAL COUNSEL

Duke Energy Corporation
EC03T / P.O. Box 1006
Charlotte, NC 28201

CATHERINE E. HEIGEL
Associate General Counsel
704.382.8123 OFFICE
704.382.5690 FAX
catherine.heigel@duke-energy.com

November 23, 2009

COPY

VIA UPS

South Carolina Supreme Court
Office of Bar Admissions
1231 Gervais Street
Columbia, South Carolina 29201

~~Posted: _____
Dept: _____
Date: _____
Time: _____~~

Re: SC PSC Docket No. 2009-10-E; Duke Energy Carolinas, LLC's Integrated Resource Plan (IRP)

Dear Clerk of the South Carolina Supreme Court:

Enclosed for filing please find a copy of the Application for Admission Pro Hac Vice and Certificate of Good Standing of Lara Simmons Nichols in the above-referenced case, along with the required filing fee of \$250.00.

Should you need additional information, please contact me at the number listed above.

Sincerely,

Catherine E. Heigel

Enclosures
CEH/mp

c: Parties of Record
Mr. Charles Terreni, Chief Clerk, SC PSC

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

IN THE MATTER OF:

Docket No. 2009-10-E

Duke Energy Carolinas, LLC's Integrated
Resource Plan (IRP)

Public Service Commission of South Carolina

Mailing Address:

101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

Comes now, Lara Simmons Nichols, applicant herein, and respectfully represents the following:

1. Applicant resides at:

4000 Highview Road

Street Address

Charlotte

City

Mecklenburg

County

North Carolina

State

28210

Zip Code

704-552-4335

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)

Duke Energy Corporation

, with offices at

526 South Church Street

Street Address

Charlotte

City

Mecklenburg

County

North Carolina

State

28202

Zip Code

704-382-9960

Telephone

704-382-4494

Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by Duke Energy Carolinas, LLC to provide legal representation in connection with the above case now pending before the above named court of the State of South Carolina.

4. Since August 20 of 1993, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of North Carolina where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:

United States District Court for the Western District of North Carolina

United States District Court for the Middle District of North Carolina

Courts of the State of North Carolina

Date Admitted:

1993

1993

1993

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before).

Not applicable

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

Not applicable

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

Not applicable

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

Not applicable

9. Local counsel of record associated with applicant in this case is Catherine E. Heigel, of Duke Energy Corporation, which has offices at:

526 South Church Street

Street Address

Charlotte

City

Mecklenburg

County

North Carolina

State

28202

Zip Code

704-382-8123

Telephone

If applicable list all other firms/attorneys you are associated with in this matter

Bonnie D. Shealy

Robinson, McFadden & Moore, P.C.

Post Office Box 944

Columbia, SC 29202

Phone: 803-779-8900

Fax: 803-252-0724

bshealy@robinsonlaw.com

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

- 2007-3-E, Annual Review of Base Rates for Fuel Costs for Duke Energy Carolinas, LLC, application filed June 25, 2007, Catherine E. Heigel was local counsel of record, application granted July 11, 2007.

- 2006-3-E, Annual Review of Base Rates for Fuel Costs for Duke Energy Carolinas, LLC, application filed June 13, 2006, Frank R. Ellerbe was local counsel of record, application granted July 19, 2006.
- 2009 -226-E, Application of Duke Energy Carolinas, LLC for Authority to Adjust and Increase its Electric Rates and Charges, application filed on July 17, 2009, Catherine E. Heigel was local counsel of record, application granted on August 5, 2009.

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

13.

DATED this 23 day of Nov., 2009.

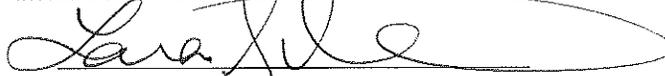

APPLICANT

VERIFICATION

STATE OF North Carolina

COUNTY OF Mecklenburg

I, Lara S. Nichols, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

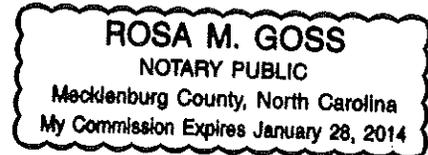

APPLICANT/AFFIANT

Subscribed and sworn to before me this 23rd day of November, 2009.

R.M.G.

Notary Public for the State of North Carolina

My Commission Expires: 1/28/2014



LOCAL COUNSEL CONSENT

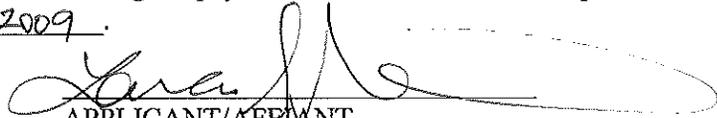
I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 23 day of November, 2009.

Catherine E. Hergil
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 23 day of November, 2009.

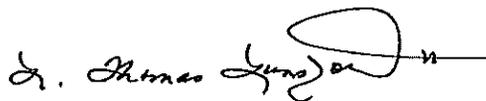

APPLICANT/AFFIANT

The North Carolina State Bar

I, L. Thomas Lunsford, II, Secretary of the North Carolina State Bar, do hereby certify that Ms. Lara Simmons Nichols (20134) was licensed to practice law by the State of North Carolina on August 20, 1993. Said lawyer is presently eligible to practice law in North Carolina and, therefore, in good standing with the North Carolina State Bar. This certificate has no reference to delinquent membership obligations, prior discipline, or any disciplinary charges or grievances that may be pending.

Given over my hand and the Seal of the North Carolina State Bar, this

5th day of November, 2009.



Secretary of the North Carolina State Bar